



# झारखण्ड गजट

## असाधारण अंक

### झारखण्ड सरकार द्वारा प्रकाशित

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संख्या 402 राँची, बुधवार 5 भाद्र 1936 (श०)  
27 अगस्त, 2014 (ई०)

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#### मंत्रिमंडल (निर्वाचन) विभाग

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#### अधिसूचना

26 अगस्त, 2014

**संख्या-02-निर्वा०न्या०वाद-16-12/14/03--**भारत निर्वाचन आयोग की अधिसूचना संख्या-82/झार०-वि०स०/(7/2010)/2012 दिनांक-21 जुलाई, 2014 द्वारा निर्वाचन अर्जी सं०-7/2010 में झारखण्ड उच्च न्यायालय राँची के 6 सितम्बर, 2012 के निर्णय के विरुद्ध दाखिल की गई 2012 की सिविल अपील संख्या 8477/2012 में भारत उच्चतम न्यायालय के दिनांक 2 अप्रैल, 2014 के निर्णय से संबंधित अधिसूचना को राजकीय गजट के असाधारण अंक में प्रकाशनार्थ ।

झारखण्ड राज्यपाल के आदेश से,

**अभय नंदन अम्बष्ठ,**

सरकार के अवर सचिव

# भारत निर्वाचन आयोग

## अधिसूचना

21 जुलाई, 2014/30 आषाढ़ 1934 (शक)

संख्या-82/झार०-वि.स./7/2010/2012--निर्वाचन अर्जी संख्या 7/2010 में झारखण्ड उच्च न्यायालय रांची के 6 सितम्बर, 2012 के निर्णय के विरुद्ध दाखिल की गई 2012 की सिविल अपील संख्या 8477/2012 में भारत उच्चतम न्यायालय के दिनांक 2 अप्रैल 2014 के निर्णय को लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 116ग (2) (ख) के अनुसरण में, निर्वाचन आयोग एतद्वारा प्रकाशित करता है।

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8477 OF 2012

AMIT KUMAR

...

APPELLANT(s)

Versus

SUDESH KUMAR MAHTO

...

RESPONDENT(s)

## ORDER

Mr. Purushottam Sharma Tripathi, learned counsel for the appellant read the entire election petition but he was unable to show any averment in the election petition that the result of the election insofar as it concerns returned candidate has been materially affected as required under Section 100(1)(d) of the Representation of the People Act, 1950.

2. The averment made in para 20 of the election petition reads as under:

That from perusal of the Chart for the Booth No. 130, 140, 23, 46, 63, 85, 129, 66, 5 and 12, wherein the EVM Units were replaced from outside the reserve list, have affected the result of votes made therein.

3. There is no averment, thus, that result of the election insofar as it concerns returned candidate has been materially affected (emphasis supplied). The impugned order does not call for any interference.

4. Civil Appeal is, accordingly, dismissed. No costs.

.....J.

(R.M. LODHA)

.....J.

(SHIVA KIRTI SINGH)

NEW DELHI;

APRIL 2, 2014

आदेश से,

**आर०के०श्रीवास्तव,**

प्रधान सचिव

भारत निर्वाचन आयोग।

उपरोक्त अधिसूचना का अंग्रेजी में निम्नलिखित अनुवाद झारखण्ड राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है जो भारतीय संविधान के अनुच्छेद 348 के खण्ड (3) के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायगा।

झारखण्ड राज्यपाल के आदेश से,

**अभय नन्दन अम्बष्ठ,**

सरकार के अवर सचिव।

**ELECTION COMMISSION OF INDIA**

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**NOTIFICATION**21<sup>st</sup> July, 2014/30 Ashadha, 1936 (Saka)

**No.-82/JKD-LA./(7/2010)/2012**--In pursuance of clause (b) sub Section(2) 116C of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby published Order dated the 2<sup>nd</sup> April, 2014 of the Supreme Court of India in Civil Appeal No 8477 of 2012 filed against the Judgement dated 6<sup>th</sup> September, 2012 of the High Court of Judicature at Jharkhand, Ranchi in Election Petition No. 7 of 2010.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8477 OF 2012

AMIT KUMAR

...

APPELLANT(s)

Versus

SUDESH KUMAR MAHTO

...

RESPONDENT(s)

**ORDER**

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4. Civil Appeal is, accordingly, dismissed. No costs.

.....J.

(R.M. LODHA)

.....J.

(SHIVA KIRTI SINGH)

NEW DELHI;

APRIL 2, 2014

By order,

**R.K.SRIVASTAVA,**

PR. SECRETARY,

ELECTION COMMISSION OF INDIA.

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